

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO et al.,

Debtors.¹

PROMESA
Title III

Case No. 17 BK 3283-LTS

(Jointly Administered)

ORDER STAYING R&D MASTER ENTERPRISES, INC.'S MOTION REQUESTING COURT ORDER

The Court has received and reviewed the *Motion Requesting Court Order* (Docket Entry No. 23651 in Case No. 17-3283)² (the “Motion”), filed by R&D Master Enterprises, Inc. (“R&D”). The Motion seeks entry of an order directing the Executive Office for the United States Trustee to “inform the [Court of the] result of any investigation [concerning conflicts of interest of professionals retained by the Financial Oversight and Management Board for Puerto Rico or,] . . . in the alternative, if no investigation has been conducted, an [o]rder should be entered wherein the US Trustee[s] Office is . . . [directed to] investigate the [l]aw [f]irm of O’Neill & Borges for conflict[s of] interest.” (Mot. ¶ 4.)

The Court previously set a briefing schedule with respect to R&D’s *Motion to Disqualify the Law Firm O’Neill & Borges, LLC for Unresolvable Conflicts of Interest Incurred in Violation of the Puerto Rico Recovery Accuracy in Disclosures Act of 2021, 48 U.S.C. 2101 et seq.* (Docket Entry No. 23285) (the “Disqualification Motion”) and advised the parties that it would take the Disqualification Motion on submission. Interested parties filed objections to the

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² All docket entry references herein are to the docket of Case No. 17-3283.

Disqualification Motion arguing, among other things, that R&D lacks standing to prosecute the Disqualification Motion and that the Court lacks jurisdiction to adjudicate the Disqualification Motion. R&D filed a reply in support of the Disqualification Motion. Accordingly, the Disqualification Motion is now fully briefed and under consideration by the Court.

The objections to the Disqualification Motion raise substantial threshold issues concerning the Court's jurisdiction and Movant's standing with respect to the Disqualification Motion. The resolution of those issues is likely to be pertinent to adjudication of the Motion. As such, in the exercise of its reasoned discretion and in the interests of efficiency and judicial economy, the Court hereby stays the Motion pending the Court's consideration of the Disqualification Motion.

SO ORDERED.

Dated: March 2, 2023

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge